

Adopted at Meeting of 6/ 12/75

BOSTON REDEVELOPMENT AUTHORITY
EQUAL OPPORTUNITY COMPLIANCE POLICY

June 12, 1975

To assure execution of Affirmative Action to provide equal employment opportunity and prevent discrimination regardless of race, sex, religion, color or national origin, in accordance with Executive Order of the President No. 11246, as amended by 11375, the Boston Redevelopment Authority establishes the following policies, practices and procedures for the selection of contractors and subcontractors, site preparation, demolition, rehabilitation construction, service contracts and redevelopment programs under the Authority's jurisdiction and control:

1. Every proposed contract to which the Authority is a party for professional or technical services, including those for planning, design, engineering and appraisal work shall be submitted to the Contract Compliance Officer for Equal Opportunity, hereinafter referred to as "Compliance Officer." The Authority whenever possible will solicit minority contractors to submit bids and proposals for any of the above-mentioned contracts. The Authority will propose co-venturing and joint venturing with minority contractors whenever possible. If the proposed firm has dealt previously with the Authority, the Compliance Officer will review the record of its affirmative action programs for the employment of minorities. No contract shall be submitted for the Authority's approval until a written evaluation of these employment practices has been prepared by the Compliance Officer. The Contract Compliance Officer may recommend to the Director of the Authority that any proposed contractor with the Authority comply with such of the following requirements of this Equal Opportunity Compliance Policy, as the Director of the Authority may deem appropriate.

II. Prior to the conveyance of any real property, there must be submitted, together with the developer's form of construction contract, before said contract is executed, a "Plan of Affirmative Action for Equal Opportunity" prepared by the proposed contractor containing the following information:

1. A statement of contractor's current policy with respect to equal opportunity; a description of how this policy is implemented and the extent of the contractor's achievement in the employment of minorities.
2. A statement of the contractor's goal to utilize an adequate representation of minority subcontractors on this project.
3. Identification of the goals which the contractor has established for the employment of minority groups on the project, and of the affirmative action which he will take to insure or facilitate their employment, including:
 - a. Professional, technical and clerical personnel;
 - b. Field and/or construction personnel;

- c. Employees of subcontractors;
- d. Employees of suppliers; and
- e. Apprenticeship and upgrading.

4. An estimate of the anticipated total minority employment by category and trade.

5. One copy of each pertinent Union Collective Bargaining Agreement.

6. A statement of the contractor's anticipated plan for affirmative action for equal opportunity in connection with any contemplated co-venture or joint venture.

7. A letter of intent between the developer and the contractor, in form acceptable to the Authority, requiring the contractor to perform in accordance with this Equal Opportunity Compliance Policy and under the Land Disposition Agreement between the Authority and the developer, and further requiring the contractor to insert a complete text of the non-discrimination clause of Section 202, 1 through 7 of the President's Executive Order No. 11246 in every contract, subcontract and purchase order, and an executed copy of the Bid Conditions Certificates. Said section 202 is hereby incorporated and made a part of this Equal Opportunity Compliance Policy by reference.

8. Evidence that the contractor will require the submission of such a Plan for Affirmative Action by proposed subcontractors and will await review of each such plan by the Compliance Officer prior to the execution of the subcontract.

After the contractor has submitted its Plan for Affirmative Action, and prior to execution of the construction contract and subcontracts:

1. The developer and his proposed prime contractor and subcontractor will request the Compliance Officer to hold a pre-award conference. No work shall be performed nor contracts executed with the prime or the subcontractors until the developer or the contractor has been notified in writing of the Contract Compliance Officers approval. At the pre-award conference(s) the contractors will be examined to determine their compliance posture and guided in such revisions and improvements in its Plan for Affirmative Action and equal opportunities as the Contract Compliance Officer may deem appropriate. At all pre-award meetings the Compliance Officer will urge utilization of minority subcontractors. The developer shall be recommended to the Authority as being in breach of the Land Disposition Agreement for failure by any of the parties to comply with above revisions.

2. The Contract Compliance Officer shall investigate the proposed contractor's prior records in Affirmative Action for Equal Opportunity and submit findings in writing to the Director of the Authority, together with a written evaluation of the proposed prime contractor's Plan for Affirmative Action.

3. No approval will be given by the Director with respect to a proposed construction contractor or subcontractor until the written recommendations of the Contract Compliance Officer have been considered.

III. The Authority's closing attorney at the request of the Contract Compliance Officer will arrange a pre-closing conference with the developer and the approved contractor and approved subcontractors. The conference will be attended by the closing attorney and the Contract Compliance Officer, with representation from the HUD regional office where required. The following matters will be discussed at the conference:

1. The prime contractor's responsibility for following up on affirmative action by subcontractors.

2. Instructions to the contractor for maintenance on the site of a daily report on employment showing total number and non-whites employed by trade, and for the submission of bi-monthly labor reports to the Contract Compliance Officer.

3. Instructions to the contractor for providing each of his subcontractors with the required forms for public posting.

4. Instructions to the contractor for notifying all unions of equal opportunity requirements of his contract.

5. Contractor's responsibility for recruitment efforts in the utilization of minority group subcontractors.

6. Other aspects of affirmative action including apprenticeship and other training programs.

7. BRA procedure for insuring and facilitating affirmative action.

8. Urge representative use of minority subcontractors.

9. Advise the contractor to appoint a responsible officer of his organization as Equal Opportunity Officer for this project.

Any contractor who is a participant, in or is a member of an organization or association which participates in, an area-wide equal employment opportunity program (Boston Plan) which is approved by the Department of Housing and Urban Development and the Office of Federal Contract Compliance for the purpose of effectuating the goals of Executive Order 11246, shall be exempt from the requirement of developing and maintaining a written affirmative action program.

IV. A. The Contract Compliance Officer will furnish the Director with bi-monthly reports on the progress of the equal opportunity program development. Where indicated the Contract Compliance Officer will:

1. Discuss failures to comply with the developer and the contractor.

2. Undertake on-site review of employment.

3. Recommend appropriate action to insure compliance with these policies and procedures.

B. In any case in which a contractor or subcontractor fails to adhere to the provisions of this Equal Opportunity Compliance Policy or its Plan for Affirmative Action, or fails to make every positive and acceptable effort to do so, the developer shall be recommended to the Authority as being in breach of the Land Disposition Agreement. The Director will notify any such developer and will exercise whatever sanctions necessary to effect compliance. The contractor and/or sub-contractor may be declared ineligible by the Authority for further approval for work on Government contracts, Urban Renewal Parcels and Federally-Assisted construction contracts.

June 12, 1975

MEMORANDUM

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: ROBERT T. KENNEY, DIRECTOR

SUBJECT: BOSTON REDEVELOPMENT AUTHORITY'S
CONTRACT COMPLIANCE POLICY

The proposed federal requirements concerning Contract Compliance and Equal Employment Opportunity was considered at the February 20, 1969 meeting of the Authority, however, as the minutes of the meeting indicate, apparently no formal vote was taken.

This policy, although never officially adopted, has been included in all of our Land Disposition Agreements and all of our contract for Site Preparation and Demolition in the various project areas.

It is recommended that the Authority formally adopt the attached Equal Employment Opportunity Contract Compliance Policy.

VOTED: That the Boston Redevelopment Authority hereby approved and adopts the attached document entitled "Boston Redevelopment Authority Equal Opportunity Compliance Policy, June 12, 1975.

February 20, 1969

Copies of a memorandum dated February 20, 1969 were distributed re Board of Appeal Referrals.

On motion duly made and seconded, it was unanimously

VOTED: to approve the recommendations of the Director relating to Petitions No. Z-1385 to Z-1399 inclusive.

The aforementioned memorandum is filed in the Document Book of the Authority as Document No. 1300.

On motion duly made and seconded, it was unanimously

VOTED: to enter into Executive Session.

The Director explained the Executive Order No. 11246 and the requirements issued by the Department of Housing and Urban Development on Equal Employment Opportunity.

On motion duly made and seconded, it was unanimously

VOTED: to resume the public meeting.

On motion duly made and seconded, it was unanimously

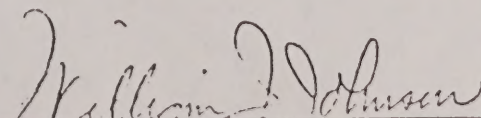
VOTED: that the next meeting of the Authority be held on

Thursday, March 6, 1969, at 2:30 p. m.

On motion duly made and seconded, it was unanimously

VOTED: to adjourn.

The meeting adjourned at 4:12 p. m.


Assistant Secretary

